

a button cover with a plurality of circular holes therein, with the button cover for covering the plurality of buttons; and

a body having an elongated reception guide rail and a projection bar; and

a button cover holding mechanism including:

a button mounting projection;

a bush including projections in contact with the projection bar and having a trough portion between said projections;

a ring positioned in the elongated reception guide rail; and

a resilient member for applying a restoring force to the bush and for fitting the ring in the elongated reception guide rail;

wherein each of the bush, the ring, and the resilient member is positioned in the circular holes of the button cover and covered with the cover mounting projection.

Claim 6, line 2, replace "a" with --said--.

REMARKS

Favorable reconsideration of the application is respectfully requested.

This application has been reviewed in light of the Office Action dated May 13, 1997.

Claims 1-13 are pending in the application.

Claims 1, 3 and 8 (as amended in Applicants' amendment of February 18, 1997) have been rejected under 35 U.S.C. §112, first paragraph for containing new matter. Specifically, the use of "elongated" to describe reception guide rails 13. Applicants' original disclosure of FIG. 5 clearly shows reception guide rail 13 as having an elongated length. "In establishing

a disclosure, Applicants may rely not only on the description and drawing as filed..." (MPEP 608.01(L)). Thus, the use of "elongated reception guide rail" is proper and is clearly supported by Applicants' original disclosure of FIG. 5.

Claims 1-13 have been rejected under 35 U.S.C. §103 over Takagi et al. ("310) and Takagi et al. ("273). Applicants respectfully request reconsideration and withdrawal of this rejection.

The '310 patent teaches circular holes for receiving fitting shafts 24 or pipe shafts 30 and therefore teaches away from the present invention which uses an elongated rail. Circular holes inherently do not have an elongated length as shown by Applicants' disclosure in FIG. 5.

The '310 patent does not disclose or suggest the projection bar of the telephone body in contact with the wave projections of the cylindrical bush to directly apply the restoring force of the spring to the cylindrical bush as claimed in Claim 1.

According to '310, the U-shaped springs 26 engage angular plate portions 24c of shaft 24. The Examiner has equated angular plate portions 24c with the wave projections of Applicants' claimed cylindrical bush; however, '310 does not disclose or suggest a trough portion in shaft 24 that is also in potential contact with springs 26. Applicants' Claim 1 clearly recites a trough portion in addition to the wave portions of the cylindrical bush. Withdrawal of this rejection is respectfully requested.

The '273 patent recites substantially the same portable telephone as in the '310 patent, as well as an embodiment having a cover 14' with circular cavities 36a for mounting a

mounting portion 36 biased by a coil spring 50 to project a short shaft 42 outside the cavity 36a.

As to Claim 1, neither the '310 patent nor '273 patent disclose or suggest, *inter alia*, the formation of an elongated reception guide rail in the body of the portable telephone.

As to Claim 3, Applicants respectfully request reconsideration of this rejection based on Applicants' originally disclosed elongated reception guide rail. Furthermore Applicants have amended Claim 3 to include the trough portion of the bush between the projections. Neither '310 nor '273 taken singly or in any combination disclose or suggest these features of Applicants' claimed invention.

As to Claim 8, the '310 patent does not disclose or suggest a button cover holding mechanism of a portable telephone formed by a process including, *inter alia*, the steps of inserting a cylindrical ring into an elongated reception guide rail of the body, and inserting a spring into the circular holes to apply a restoring force to the cylindrical ring to fit the cylindrical ring into the elongated reception guide rail, as is claimed in Claim 8. As discussed earlier, the elongated reception guide rail, as originally disclosed, is not disclosed or suggested by the '310 patent alone or in combination with '273.

One having ordinary skill in the art would not look to the '310 patent for the elongated reception guide rail of Claims 1, 3, and 8 with a ring inserted therein and fitted using a spring or resilient member. The circular shafts of the hinge of the '310 patent have to be force-fitted into the circular holes. Applicants' claimed invention eliminates the force fitting problems of '310 by providing elongated reception guide rails which enable additional flexibility in fitting the rings therein without requiring a force-fit during assembly.

Applicants' claimed elongated guide rails provide a fitting engagement using a spring or resilient member.

Claims 2, 4-7, and 9-13 depend from Claims 1, 3, and 8, respectively, and so include the recitation of Claims 1, 3, and 8, respectively. For the reasons set forth above, Claims 2, 4-7, and 9-13 are believed to be patentable over the '310 patent and/or the '273 patent, and reconsideration of the rejection is respectfully requested.

In view of the foregoing remarks, this application is believed to be in condition for allowance. Early and favorable action is earnestly solicited.

Respectfully submitted,

Dated: August 6, 1997

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